



UNITED STATES PATENT AND TRADEMARK OFFICE

9/1

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/699,799	11/04/2003	Kazuo Hiraguchi	Q77992	4014

23373 7590 11/08/2006  
SUGHRUE MION, PLLC  
2100 PENNSYLVANIA AVENUE, N.W.  
SUITE 800  
WASHINGTON, DC 20037

EXAMINER

HAUGLAND, SCOTT J

ART UNIT PAPER NUMBER

3654

DATE MAILED: 11/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

<b>Application No.</b> 10/699,799	<b>Applicant(s)</b> HIRAGUCHI, KAZUO	
<b>Examiner</b> Scott Haugland	<b>Art Unit</b> 3654	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1)  Responsive to communication(s) filed on 30 August 2006.
- 2a)  This action is **FINAL**.                      2b)  This action is non-final.
- 3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4)  Claim(s) 1-22 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5)  Claim(s) \_\_\_\_\_ is/are allowed.
- 6)  Claim(s) 1-22 is/are rejected.
- 7)  Claim(s) \_\_\_\_\_ is/are objected to.
- 8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9)  The specification is objected to by the Examiner.
- 10)  The drawing(s) filed on \_\_\_\_\_ is/are: a)  accepted or b)  objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All    b)  Some \*    c)  None of:
1.  Certified copies of the priority documents have been received.
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1)  Notice of References Cited (PTO-892)
- 2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3)  Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 5)  Notice of Informal Patent Application
- 6)  Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over LeNoue et al (U.S. Patent No. 5,328,123) in view Maehara (U.S. Patent No. 4,466,585).

LeNoue et al discloses a recording tape cartridge comprising a substantially rectangular case formed from an upper case and a lower case each having a wall 72 connected to a ceiling or floor plate (upper or lower wall). The case accommodates a single reel on which recording tape is wound. Border portions between the walls 72 and the ceiling/floor plates are thinner than the plates. The depth of the grooves 74 forming the thinner border portions are 30% to 50% of the thickness of the ceiling or floor plate (col. 4, lines 9-12). Leader block 16 is seen to be an arc-shaped door slidably disposed within the case since it is arc-shaped, it slides into and out of the cartridge opening through which tape passes into and out of the cartridge, and it acts as a door to block the opening when the cartridge is not in use. The leader block 16 is movable between open and closed positions while within the cartridge.

Art Unit: 3654

LeNoue et al does not disclose screw bosses on the upper and lower cases each having a convex portion and a concave portion which fit together.

Maehara teaches providing a recording tape cartridge with screw bosses 18, 20, 27, 29, 32, 34 having convex portions and concave portions that fit together.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the recording tape cartridge of LeNoue et al with screw bosses having convex portions and concave portions that fit together as taught by Maehara to secure the upper and lower case together while ensuring proper alignment of the cases before insertion of the screws.

It would have been further obvious to make border portions between the ceiling plate and outermost peripheral wall and the floor plate and outermost peripheral wall thinner than the peripheral wall similarly to the border portions associated with grooves 74 as taught by LeNoue et al to prevent deformation of the case during cooling at the corners between the outermost peripheral walls and the ceiling/floor plates.

With regard to claims 2, 7-10, 12, and 17-20, the border portions disclosed by LeNoue et al would be 70% to 50% of the thickness of the ceiling or floor plates based on the disclosed groove depths of 30% to 50% of that thickness. Since the walls 72 are disclosed as being substantially the same thickness as the ceiling and floor plates, the same groove depth/border depths relative to the thickness of the walls would have obviously been appropriate.

### ***Response to Arguments***

Applicant's arguments filed 8/30/06 have been fully considered but they are not persuasive.

Applicant argues that neither LeNoue or Maehara suggests "an arc shaped door slidably disposed within the case and which is operative to move in an open and closed position while within the case, and which is operative to block an opening for pulling out the recording tape," as recited in claims 1 and 11. However, the door 16 in LeNoue is movable between open and closed positions while in the case, i.e., before being fully removed from the case during tape withdrawal or before reaching its final position in the cartridge during tape winding.

Applicant argues that the references do not teach a case in which a border portion between a peripheral wall and a ceiling plate and a border portion between a peripheral wall and a floor plate are thinner than a thickness of the peripheral wall. However, while LeNoue does not disclose this exact configuration, LeNoue teaches making border portions (associated with grooves 74) between a vertical wall and a ceiling or floor plate of a cartridge case thinner than the vertical walls to prevent deformation of the cartridge case during cooling immediately after molding by eliminating excess wall thickness at intersections. It would have been clear to an ordinary artisan that this teaching would be applicable to other wall intersections where thickening would be present in the absence of grooves such as 74 and it would have been obvious to apply the teaching to the intersections between peripheral walls and the floor and ceiling plates to prevent deformation of the case in these areas.

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Hancock et al (U.S. Pat. No. 6,764,037) is cited to further show a tape cartridge having an arcuate door.

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

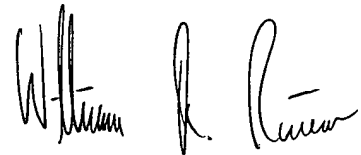
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott Haugland whose telephone number is (571) 272-6945. The examiner can normally be reached on Monday - Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kathy Matecki can be reached on (571) 272-6951. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3654

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

*sjh*  
sjh  
11/2/06



**WILLIAM A. RIVERA  
PRIMARY EXAMINER**